David E. Mollón (DM-5624) Steven M. Schwartz (SS-4216) WINSTON & STRAWN LLP 200 Park Avenue New York, New York 10166 (212) 294-6700

Attorneys for Defendants Amaranth Capital Partners LLC, Amaranth Group Inc., Amaranth Management Limited Partnership, and Amaranth Partners LLC

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

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IN RE: AMARANTH NATURAL GAS

COMMODITIES LITIGATION : Electronically Filed

This Document Relates to: : Master File No.: 07 Civ. 6377 (SAS)

ALL ACTIONS : Oral Argument Requested

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NOTICE OF MOTION TO DISMISS THE
CORRECTED CONSOLIDATED CLASS ACTION COMPLAINT BY
DEFENDANTS AMARANTH CAPITAL PARTNERS LLC,
AMARANTH GROUP INC.,
AMARANTH MANAGEMENT LIMITED PARTNERSHIP, AND
AMARANTH PARTNERS LLC

PLEASE TAKE NOTICE that upon the accompanying memorandum of law and declaration and exhibit attached thereto, and upon all prior pleadings and proceedings herein, Defendants Amaranth Capital Partners LLC, Amaranth Group Inc., Amaranth Management Limited Partnership, and Amaranth Partners LLC, by and through their undersigned counsel, respectfully move this Court, before the Honorable Shira A. Scheindlin, United States District Judge, at the United States District Court, Southern District of New York, 500 Pearl Street, New York, New York, on such day and at such time designated by the Court, for an order (a) pursuant

to Federal Rule of Civil Procedure 12(b)(6), 12(b)(1) and/or 8(a) dismissing this action for failure to state a claim or, in the alternative, pursuant to Federal Rule of Civil Procedure 9(b) dismissing this action for failure to plead fraud with particularity; and (b) granting such other relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to the schedule set by the Court pre-motion conference, papers in opposition to this motion shall be served on or before May 30, 2008, and Defendants' reply papers shall be served on or before June 30, 2008.

Dated: New York, New York April 28, 2008

Respectfully submitted,

#### WINSTON & STRAWN LLP

By: /s/ David E. Mollón David E. Mollón (DM-5624) Steven M. Schwartz (SS-4216) dmollon@winston.com sschwartz@winston.com

200 Park Avenue New York, New York 10166 (212) 294-6700

Stephen J. Senderowitz Kristen V. Grisius Gretchen A. Vetter ssenderowitz@winston.com kgrisius@winston.com gvetter@winston.com

35 West Wacker Drive Chicago, IL 60601 (312) 558-5600

Attorneys for Defendants Amaranth Capital Partners LLC, Amaranth Group Inc., Amaranth Management Limited Partnership, and Amaranth Partners LLC

TO:

Vincent Briganti, Esq. Geoffrey M. Horn, Esq. Lowey Dannenburg Bemporad Selinger & Cohen, P.C. White Plains Plaza One North Broadway White Plains, NY 10601

Gregory Asciolla, Esq. Bernard Persky, Esq. Labatow Sucharow & Rudoff LLP 140 Broadway New York, NY 10117

Louis F. Burke, Esq. Louis F. Burke PC 460 Park Avenue 21st Floor New York, NY 10022

Christopher J. Gray, Esq. Law Office of Christopher J. Gray P.C. 460 Park Avenue 21st Floor New York, NY 10022

Samuel Howard Rudman, Esq. Robert M. Rothman, Esq. Coughlin, Stoia, Geller, Rudman & Robbins LLP 58 South Service Road Melville, NY 11747

Christopher Lovell, Esq. Ian Trevor Stoll, Esq. Lovell Stewart Halebaian LLP 500 Fifth Avenue 58th Floor New York, NY 10110

Attorneys for Plaintiffs

Geoffrey Aronow, Esq. Joseph Fagan, Esq. Heller Ehrman LLP 7 Times Square New York, NY 10036

Attorneys for Defendant Nicholas Maounis

Karl Geercken, Esq. Alan Mark Kanzer, Esq. Craig Carpenito, Esq. Alston & Bird, LLP 90 Park Avenue New York, NY 10016

Attorneys for Defendant TFS Energy Futures Inc.

Amelia T.R. Starr, Esq. Sheldon L. Pollock, Esq. Dharma B. Frederick, Esq. Davis Polk & Wardwell 450 Lexington Avenue New York, NY 10017

Attorneys for Defendant Amaranth LLC

Steven R. Golderg, Esq. Steven R. Goldberg, Attorney-at-Law One North End Avenue, Suite 1107 New York, NY 10282

Attorneys for Defendant ALX Energy Inc.

Mark Stein, Esq. Brijesh Dave, Esq. Simpson Thacher & Bartlett LLP 425 Lexington Avenue New York, NY 10017

Attorneys for Defendant Matthew Donohoe

Adam Hakki, Esq. Shearman & Sterling LLP 599 Lexington Ave New York, NY 10022

Attorneys for Defendant Amaranth International Limited

Marguerite Dougherty, Esq.
Eric S. Goldstein, Esq.
Mark Pomerantz, Esq.
Daniel Toal, Esq.
Jason Wilson, Esq.
Paul, Weiss, Rifkind, Wharton & Garrison LLP
1285 Avenue of the Americas
New York, NY 10019

Attorneys for Defendant J.P. Morgan Chase & Co.

Michael S. Kim, Esq. Kobre & Kim LLP 800 Third Avenue New York, NY 10022

Attorneys for Defendant Brian Hunter

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE: AMARANTH NATURAL GAS COMMODITIES LITIGATION

This Document Relates to:

07 Civ. 6377 (SAS)

**ALL ACTIONS** 

**CERTIFICATE OF SERVICE** 

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I, KENNETH DAVID WEST, hereby certify under penalty of perjury that on April 28, 2008 I caused to be served Memorandum of Law in Support of Motion to Dismiss the Corrected Consolidated Class Action Complaint by Defendants Amaranth Capital Partners LLC, Amaranth Group Inc., Amaranth Management Limited Partnership, and Amaranth Partners LLC, Notice of Motion to Dismiss the Corrected Consolidated Class Action Complaint by Defendants Amaranth Capital Partners LLC, Amaranth Group Inc., Amaranth Management Limited Partnership, and Amaranth Partners LLC and Declaration of David E. Mollón with exhibit dated April 28, 2008, by operation of the Court's Electronic Case Filing system and by the means indicated below, upon the following counsel:

### By E-mail and Overnight Delivery

Vincent Briganti, Esq. Geoffrey M. Horn, Esq. Lowey Dannenburg Bemporad Selinger & Cohen, P.C. White Plains Plaza One North Broadway White Plains, NY 10601

# By E-mail and Overnight Delivery

Gregory Asciolla, Esq. Bernard Persky, Esq. Labatow Sucharow & Rudoff LLP 140 Broadway New York, NY 10117

#### By E-mail and Overnight Delivery

Louis F. Burke, Esq. Louis F. Burke PC 460 Park Avenue 21st Floor New York, NY 10022

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Christopher J. Gray, Esq. Law Office of Christopher J. Gray P.C. 460 Park Avenue 21st Floor New York, NY 10022

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Samuel Howard Rudman, Esq. Robert M. Rothman, Esq. Coughlin, Stoia, Geller, Rudman & Robbins LLP 58 South Service Road Melville, NY 11747

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Daniel Toal, Esq.
Jason Wilson, Esq.
Paul, Weiss, Rifkind, Wharton & Garrison LLP
1285 Avenue of the Americas
New York, NY 10019

### By E-mail and Overnight Delivery

Michael S. Kim, Esq. Kobre & Kim LLP 800 Third Avenue New York, NY 10022

Dated: New York, New York April 28, 2008 KENNETH DAVID WEST